

TR 4654

PTO/SB/21 (04-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/664,247
	Filing Date	September 18, 2000
	First Named Inventor	Wilhelm Elsner
	Art Unit	1654
	Examiner Name	Susan Beth McCormick Ewoldt
Total Number of Pages in This Submission	Attorney Docket Number	2384-001440

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Response to Communication; ; copy of portion of Official Gazette dated 15/12/1997 and notice from Community Plant Variety Office; return receipt postcard; and check for \$120.00 (extension fee).
<div>Remarks</div>		

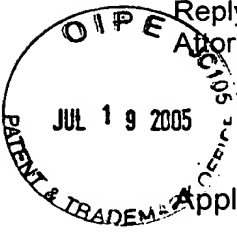
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Patricia A. Olosky
Signature	<i>Patricia A. Olosky</i>
Date	July 15, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
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Typed or printed name	Florence P. Trevethan		
Signature	<i>Florence P. Trevethan</i>	Date	July 15, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application No. 09/664,247  
Paper dated July 15, 2005  
Reply to Office Communication of April 15, 2005  
Attorney Docket No. 2384-001440



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/664,247  
Applicant : Wilhelm Elsner  
Filed : September 18, 2000  
Title : Geranium Plant Named 'Pendec'  
Group Art Unit : 1654  
Examiner : Susan Beth McCormick Ewoldt  
Confirmation No. : 4085  
Customer No. : 28289

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO COMMUNICATION**

Sir:

Pursuant to the Office Communication dated April 15, 2005, please enter into the above-identified application the following. A Petition for One-Month Extension of Time is filed concurrently herewith.

**Response Under 37 C.F.R. §1.105** begins on page 2 of this paper;  
and

**Remarks** begin on page 3 of this paper.

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Florence P. Trevethan  
(Name of Person Mailing Paper)

*Florence P. Trevethan* 07/15/2005  
Signature Date

Application No. 09/664,247  
Paper dated July 15, 2005  
Reply to Office Communication of April 15, 2005  
Attorney Docket No. 2384-001440

**RESPONSE UNDER 37 C.F.R. §1.105**

The undersigned is advised that the claimed variety was first publicly available only in Germany in July of 1998. Copies of publications or advertisements relating to sales or offers for sale more than one year before the filing date of the application are not available. A portion of the Official Gazette of the Community Plant Variety Office dated 15/12/1997 listing Application No. 97/0950 for 'Pendec' and a notice from the Community Plant Variety Office regarding withdrawal of said application are enclosed herewith. No further information is available at this time.